

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ANTHONY CROPPER,** :  
**Plaintiff,** :  
:  
**v.** : **CIVIL ACTION NO. 20-CV-85**  
:  
**LEHIGH COUNTY PRISON, et al.,** :  
**Defendants.** :

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**ANTHONY CROPPER,** :  
**Plaintiff,** :  
:  
**v.** : **CIVIL ACTION NO. 20-CV-86**  
:  
**LEHIGH COUNTY PRISON, et al.,** :  
**Defendants.** :

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**ANTHONY CROPPER,** :  
**Plaintiff,** :  
:  
**v.** : **CIVIL ACTION NO. 20-CV-87**  
:  
**LEHIGH COUNTY PRISON, et al.,** :  
**Defendants.** :

**ORDER**

AND NOW, this 9<sup>th</sup> day of March, 2020, upon consideration of Plaintiff Anthony Cropper's Motions to Proceed *In Forma Pauperis* (Civ. A. No. 20-85, ECF No. 1; Civ. A. No. 20-86, ECF No. 1; Civ. A. No. 20-87, ECF No. 1), his Prisoner Trust Fund Account Statement (Civ. A. No. 20-87, ECF No. 2), and his *pro se* Complaints (Civ. A. No. 20-85, ECF No. 2; Civ. A. No. 20-86, ECF No. 2; Civ. A. No. 20-87, ECF No. 3), it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to add Cropper's Prisoner Trust Fund Account Statement to the dockets in Civ. A. Nos. 20-85 and 20-86.

2. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915 in each of the above captioned cases.

3. Anthony Cropper, #QA-2222, shall pay a separate full filing fee of \$350 **for each of the above captioned cases** in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of the cases. The Court directs the Superintendent of SCI Laurel Highlands or other appropriate official to assess for each of the above captioned cases an initial filing fee of 20% of the greater of (a) the average monthly deposits to Cropper's inmate account; or (b) the average monthly balance in Cropper's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payments assessed pursuant to this Order to the Court with a reference to the docket number for each case. In each succeeding month when the amount in Cropper's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Cropper's inmate account until the fees are paid. Each payment shall refer to the docket numbers for these cases.

4. The Clerk of Court is **DIRECTED** to **SEND** a copy of this Order to the Superintendent of SCI Laurel Highlands.

5. The Complaints are **DEEMED** filed.

6. The Complaints are **DISMISSED IN PART WITH PREJUDICE AND IN PART WITHOUT PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum as follows:

- a. Defendant Lehigh County Prison is **DISMISSED WITH PREJUDICE** in all cases.
- b. All claims in all cases based upon allegations of denial of grievances, verbal harassment or destruction of property are **DISMISSED WITH PREJUDICE**.
- c. All claims based on supervisory liability against Defendants Kyle Russell, Janine Donate and Carol Sommers are **DISMISSED WITHOUT PREJUDICE**.
- d. The claim in Civ. A. No. 20-85 based on retaliation for filing grievances is **DISMISSED WITHOUT PREJUDICE**.
- e. The claim in Civ. A. No. 20-86 based on alleged deprivations due to the assertion of a right to refuse medical treatment is **DISMISSED WITHOUT PREJUDICE**.
- f. The claim in Civ. A. No. 20-87 based upon being sickened by tainted food is **DISMISSED WITHOUT PREJUDICE**.

7. Cropper may file an amended complaint or complaints within thirty (30) days of the date of this Order. Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Cropper's claims against each defendant. The amended complaint or complaints shall be a complete document that does not rely on the initial Complaint or other papers filed in these cases to state a claim. When drafting his amended complaint or complaints, Cropper should be mindful of the Court's reasons for dismissing the claims in his initial

Complaints as explained in the Court's Memorandum. Upon the filing of an amended complaint or complaints, the Clerk shall not make service until so **ORDERED** by the Court.

8. The Clerk of Court is **DIRECTED** to send Cropper three blank copies of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action numbers. Cropper may use these forms to file his amended complaint or complaints if he chooses to do so.

9. If Cropper fails to file an amended complaint or complaints in accordance with this Order, his cases may be dismissed without further notice for failure to prosecute.

**BY THE COURT:**

**s/ Michael M. Baylson**

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**MICHAEL M. BAYLSON, J.**